IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Sigmund Kulessa

Serial No.: 10/676326 Art Unit: 3763

Filed: September 30, 2003 Examiner: C.S. Williams

For : Tray for Surgical Fastners

I hereby certify that this correspondence is being electronically filed with the United States Patent & Trademark Office on October 25, 2006

/Eugene L. Szczecina, Jr./

Eugene L. Szczecina, Jr. Reg. 35,029 (Name of applicant, assignee, or Registered Representative)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §\$1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

oxtimes In accordance with §1.97(b), since this Information
Disclosure Statement is being filed either within three months
of the filing date of the above-identified national application
(other than a continued prosecution application under §1.53(d)),
within three months of the date of entry into the national stage
of the above identified application as set forth in \$1.491, or
before the mailing date of a first Office Action on the merits
of the above-identified application, or before the mailing date
of a first Office Action after the filing of a request for
continued examination under §1.114, no additional fee is
required.
☐ In accordance with §1.129(a), this Information
Disclosure Statement is being filed in connection with the
first or Second After Final Submission, therefore:
Statement in Accordance with \$1.97(e)
(attached); or
Please charge Deposit Account No. 10- 0750/ / the fee of \$180.00 as set forth
in §1.17(p).
☐ In accordance with §1.97(c), this Information
Disclosure Statement is being filed after the period set forth
in §1.97(b) above but before the mailing date of either a Final
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☐ In	accordance with \$1.97(d), this Information
Disclosure St	tatement is being filed after the mailing date of
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under §1.31	l but before the payment of the Issue Fee.
Applicant(s)	hereby petition(s) for consideration of this
Information I	Disclosure Statement. Included are: Statement in
Accordance w	ith §1.97(e) as set forth below and please charge
Deposit Accou	ant No. 10-0750/COD0183/ELS for the fee of $$180.00$
as set forth	in §1.17(p).
☐ Co	pies of each of the references listed on the
attached Form	m PTO-1449 are enclosed herewith.
	pies of references listed on the attached Form PTO- losed herewith EXCEPT THAT:
	In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.
	If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.
_	pies of only foreign patent documents and non-patent re enclosed in accordance with 37 CFR 1.98 (a)(2).
☐ The	ere are no listed references which are not in the lage.
	e relevance of those listed references which are not sh language is as follows:

Attached are copies of English translation of a
European Office Action, which are listed on the attached
Submission Under MPEP 609 D.
☐ Attached are the following non-published pending
patent applications which may be deemed relevant, which are
listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/COD0183/ELS.

Respectfully submitted,

/Eugene L. Szczecina, Jr./

Eugene L. Szczecina, Jr. Reg. No. 35,029 Attorney for Applicants

Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003 (732) 524-1479 DATED: October 25, 2006

SUBMISSION UNDER MPEP 609 D

Application Number	10/676326
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First Named Inventor	Sigmund Kulessa
Group Art Unit	3763
Examiner Name	C.S. Williams
Attornov Docket Number	COD0183

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	Name of Patentee or Applicant of Cited Document	Number	Kind Code ² (if known)	Pages, Columns, Lines, where relevant passages or relevant figures appear	
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FOREIGN PATENT DOCUMENTS

		FOREIG	N PATENT	DOCUMENTS	S		
Examiner Initials	Cite	Name of Patentee or Applicant of Cited Document	Foreign Pa	atent Document Number ⁴ Ki	t indCode ⁵	Pages, Columns, Lines, where relevant passages or relevant figures appear	T ⁶
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Signature	Considered	